

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

CECILIA M. TORRES,)	CV. NO. 11-00416 JMS-BMK
)	
Plaintiff,)	FINDINGS AND
)	RECOMMENDATION TO
vs.)	DISMISS THIS ACTION
)	
THE HANA GROUP, INC.,)	
)	
Defendant.)	
_____)	

FINDINGS AND RECOMMENDATION TO DISMISS THIS ACTION

A status conference was set for March 20, 2012 at 9:30 a.m. Plaintiff Cecilia M. Torres failed to appear at the status conference. At the status conference, Michael Green, co-counsel for Plaintiff, informed the Court that he had been unable to make contact with his client, and requested additional time to locate his client. The Court set another status conference for April 30, 2012 at 10:00 a.m. to provide Plaintiff's counsel with additional time to make contact with Plaintiff. On April 30, 2012, the Court held a further status conference, but Plaintiff failed to appear. At that status conference, Richard Gronna, co-counsel for Plaintiff, informed the Court that he was unable to make contact with his client, despite making several attempts by phone and written correspondence.

On May 1, 2012, this Court issued an Order to Show Cause, requiring that “Plaintiff appear before this Court on May 23, 2012, at 9:30 a.m. to show cause, if any there be, why sanctions should not be imposed for failure to prosecute this case.” (Doc. # 23 at 2.) The Court warned that “pursuant to Local Rule 11.1, failure of counsel or of a party to comply with the Local Rules is grounds for the imposition of sanctions” and that sanctions “may be imposed by the court *sua sponte* and include fine, dismissal, or other appropriate action.” (Id.) Despite these warnings, Plaintiff did not appear at the show cause hearing held on May 23, 2012. Therefore, the Court FINDS and RECOMMENDS that this action be DISMISSED for Plaintiff’s failure to prosecute this case and comply with the Court’s orders.

IT IS SO FOUND AND RECOMMENDED.



/s/ Barry M. Kurren
United States Magistrate Judge
Dated: May 29, 2012

CECILIA M. TORRES V. THE HANA GROUP, INC.; CV. NO. 11 00416 JMS BMK; FINDINGS AND
RECOMMENDATION TO DISMISS THIS ACTION